

State of New Jersey
Department of Labor and Workforce Development
Board of Review

MEMORANDUM

To: Cornelia Calderone, Chair, Joseph Sieber,
Vice Chairman, and Frank Serico, Member

From: Gerald Yarbrough, Executive Secretary
Board of Review

Subject: Minutes of the July 12, 2006
Board of Review Meeting

Date: July 18, 2006

THESE MINUTES HAVE NOT BEEN FORMALLY APPROVED AND ARE SUBJECT TO CHANGE OR MODIFICATION BY THE BOARD OF REVIEW AT ITS NEXT MEETING. NO DECISION OF THE BOARD OF REVIEW IS FINAL UNTIL IT HAS BEEN MAILED TO THE INTERESTED PARTIES.

1. **FORMAL OPENING:** A regular meeting of the Board of Review, Department of Labor was held on Wednesday, July 12, 2006 at 9:00 a.m. at the Board of Review offices, Labor Building, John Fitch Plaza, 7th Floor, Large Conference Room, Trenton, New Jersey. Notice of said meeting was posted in the Board of Review's office, filed with the Secretary of State, and published annually in *The Trenton Times* and *The Star Ledger*. It was noted that the next regular meeting of the Board of Review is scheduled for Wednesday, July 18, 2006 at 9:00 a.m. at the Board of Review offices, Labor Building, John Fitch Plaza, 7th Floor, Large Conference Room, Trenton, New Jersey.

Roll Call: Present: Ms. Calderone, Chair
Mr. Sieber, Vice Chair
Mr. Serico, Member
Mr. Yarbrough, Executive Secretary

2. Following a motion by Mr. Sieber and seconded by Ms. Calderone, the minutes of the June 28, 2006 meeting were approved.

It should be noted that the meeting of July 5, 2006 was cancelled due to the government shutdown.

3. New Business

(a) 110,225

Mr. Maddow presented this case that involved a claimant who was separated from employment when he did not return to work on the date specified by the employer. The Appeal Tribunal had held the claimant disqualified for benefits under N.J.S.A. 43:21-5(a). The Board noted that the claimant

complained to the employer. However the record was lacking regarding the nature of the complaints. As a result, the Board voted to remand the case for additional testimony from the claimant and employer. Mr. Maddow prepare the remand

(b) 110,957

This matter was tabled for further research

(c) 110,610

Mr. Maddow described this case that involved a claimant who left work when the employer relocated the worksite to another area. The Appeal Tribunal had held the claimant disqualified for benefits under N.J.S.A. 43:21-5(a). The Board noted the relocation of the worksite was a substantial change and gave the claimant good cause attributable to the work for leaving. As a result, the Board voted to reverse the Appeal Tribunal. Mr. Maddow will prepare the decision.

4. Public Portion

The Board of Review expressed concern to Mr. Hugh O'Hare, Chief Appeals Examiner, regarding the amount of remands due to the inability of a party to appear at a hearing.

There being no further business to transact, a motion was made by Mr. Sieber to adjourn the meeting. Mr. Serico seconded the motion.

SUBMITTED FOR APPROVAL:

Gerald Yarbrough
Executive Secretary

GY:gs